

Article XVI.

This compact shall become binding and operative when approved by the Legislature of each of the signatory states and consented to by the Congress of the United States. Notice of approval by the Legislature shall be given by the Governor of each State to the governor of the other State and to the President of the United States, and the President of the United States is requested to give notice to the signatory states of consent by the Congress of the United States.

In witness whereof the Commissioners have signed this compact in triplicate originals, one of which shall be deposited with the Department of Interior of the United States and one with the governor of each of the signatory states.

Done at El Paso, Texas, this nineteenth day of December, A. D. 1924.

RICHARD H. HUNNE,
Commissioner for New Mexico.

R. E. THOMASON,
Commissioner for Texas.

Approved: C. S. Pease.

Adjournment.

On motion of Senator Fairchild, the Senate, at 3:40 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee Reports.**

(Floor Report.)

Senate Chamber,

Austin, Texas, January 16, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: Your Committee on State Affairs to whom was referred Senate Bill No. 62,

Has had the same under consideration and begs to recommend that the same be printed in the Journal but not otherwise printed.

FLOYD, Vice Chairman.

Enrolling Committee Reports.

Committee Room,,

Austin, Texas, January 15, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared

Senate Bill No. 1, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

FLOYD, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, January 15, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills have carefully examined and compared

Senate Bill No. 2, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

FLOYD, Chairman.

FIFTH DAY.

Senate Chamber,

Austin, Texas,

Saturday, January 17, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Woodward.
Parnell.	

Absent.

Russek.	Wood.
Witt.	

Absent—Excused.

Bailey.	Murphy.
Lewis.	Wirtz.
Moore of Cooke.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Strong.

Personal Privilege.

Senator Strong, Chairman of the Committee on Nominations by the

Governor, rose to a point of personal privilege, and, being recognized by the Chair, said, "Mr. President, I find here large headlines in the Austin American, 'Senate Breaks With The Fergusons. Neff Nominees Confirmed in Open Session. Jim's Hopes Flicker. Action to Vindicate Former Governor Now Regarded as Unlikely. Pat M. Neff Rode Victorious From the Confirmation Joust in the Senate Arena Friday and the Ferguson Forces Jarred by the Second Setback of the Week. etc.' As chairman of the committee that had this matter in charge, I feel that this statement should not go uncorrected. In the first place, these nominees were not confirmed in open session, but were confirmed in executive session as the law requires. In the next place, there has been no break between the Senate and the Fergusons. So far as I know, Mrs. Ferguson has never requested that any one of these appointees be rejected by the Senate, nor has Governor Neff brought any pressure to bear to secure their confirmation.

The Senate of Texas is trying to attend to its business according to law, and the law is bigger than either the Ferguson or the Neff administration. This Senate does not feel unkindly toward either administration, and nothing has been done or said to indicate the future policy of the Senate toward the Ferguson administration in any manner other than that of co-operation and loyalty.

I do not feel that the vote cast for or against an appointee in executive session should have been divulged on the outside. I hope such a thing will not occur in a future session, but since this has been said, I will say now in open session that the fight made upon the one particular appointee on the Board of Control, did not, so far as I could ascertain, come from the friends of the Fergusons, but did come, I judge, from the Ku Klux Klan or its friends.

I want to say here that the action of the Senate on yesterday's confirmations was in accordance with the holdings and evidence submitted in every individual case, and it will treat the appointments of the next Governor in the same manner. There is nothing but good will here in this Senate at this time, and so far as I know, this body is not disposed to antagonize either the incoming or outgoing administration.

So far as I am concerned, I want the world to know that I am friendly to both Mrs. Ferguson and to her husband, James E. Ferguson, and I have every reason to believe that a large majority of the Senators are likewise friendly, and that upon a vote to remove the impeachment of the former Governor I am also certain that a large majority of the Senators are only waiting for an opportunity to cast a favorable vote."

Bills and Resolutions.

By Senator Parr:

S. B. No. 66, A bill to be entitled "An Act making an emergency appropriation for the South Texas Teachers College at Kingsville, made necessary by the near approach of the time for the opening of the Summer Session of said College for the year 1925, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Holbrook:

S. B. No. 67, A bill to be entitled "An Act to amend Chapter 32, Acts of the Regular Session of the Thirty-fifth Legislature, the same being entitled, "An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled "An Act to aid the City of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston County for a period of fifteen years, and to provide a penalty for their misapplication, by extending the provisions of said Act for a period of ten years from September 1, 1918, "by extending the provisions of said Act for a period of ten years from September 1, 1928."

Read first time and referred to Committee on State Affairs.

By Senator Price:

S. B. No. 68, A bill to be entitled "An Act to create a permanent Textbook Commission for the State of Texas, to be styled "The Texas State Textbook Commission," defining its membership and appointment; authorizing the adoption of a system of uniform textbooks in this State; providing the manner in which provisions of adopted texts may be made; to prohibit lobbying before the Com-

mission of legal and special representatives of authors or publishers; to prescribe rules and regulations for the commission in entering into contracts with publishers of school textbooks; to prescribe penalties for violation of the provisions of this Act; to provide for the enforcement of contracts; providing for the purchase and distribution by the State of free textbooks to the public school children of the State of Texas, making it the duty of the State Board of Education to purchase such books from a fund set aside each year out of the available school fund of the State; providing the procedure to be followed in purchase of said books and their distribution through the State agencies or depositories which all parties with whom the State has made textbook contracts are required to maintain, and through the district boards of school trustees or their legally appointed representatives; providing for the method of ascertaining the scholastic census for purposes of free textbook distribution; prescribing the duties of district boards of school trustees and of the State Board of Education and the State Superintendent of Public Instruction under this Act; providing that such books shall remain the property of the State and for the disposition of worn-out books; providing the method to be followed by teachers and principals in procuring books for their pupils; requiring teachers and school officers to make reports of the use, care and condition of such textbooks and providing that the salary of any teacher or employe who neglects may be withheld; providing that the State Superintendent may make rules for the requisition, distribution, care, use and disposal of such books and that the local boards and school trustees shall have the power to make rules for local application; providing for the placing of printed labels on such books and numbering same and for the keeping of a record of all books issued to each pupil; providing for the fumigation of all books before reissuance; authorizing the sale of books to parents and pupils and to institutions of learning; providing that all moneys accruing from the sale of books and from other sources shall become a part of the State Textbook Fund; providing for the handling of complaints with reference to the prompt delivery of school books and for requisitions for sup-

plementary books, fixing a penalty for a violation of this Act, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Triplett:

S. B. No. 69, A bill to be entitled "An Act amending Article 636 of the Penal Code of the State of Texas and providing that all male and female persons who habitually associate with prostitutes or habitually loiter on or around houses of prostitution or receive financial aid from prostitutes shall be punished as vagrants, and defining the terms "prostitute" and "common prostitute;" and adding to Chapter 9, Title 11 of the Penal Code of the State of Texas the Article 636a and providing therein the evidence which may be admissible in vagrancy trials and the effect of such evidence, and repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Triplett:

S. B. No. 70, A bill to be entitled "An Act authorizing the creation of a Junior College District; providing for the election of trustees for said district, naming the term of office, providing how vacancies may be filled, the organization of said trustees and the selection of officers; providing for the issuance of bonds for said district and authorizing the assessing and collecting of taxes, preparing budgets and providing for the payment of all accounts and expenses; authorizing the board of trustees to make rules and regulations governing courses of study, providing compensation for trustees, and removal from office and the selection of successors; defining the limits of such district and providing for two or more counties to form such a district and the election of trustees thereunder, repealing all laws and parts of laws in conflict with this measure and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Excused.

Senator Witt for today, on motion of Senator Woodward.

Senator Russek for today, on motion of Senator Pollard.

Senator Moore of Cooke for today, on motion of Senator Pollard.

Morning call concluded.

Senat Bill No. 62.

Senator Fairchild moved to suspend the Senate rule requiring printed bills to lie on the Senate's desk for one day for the purpose of taking up S. B. No. 62.

The motion was adopted.

The Chair laid before the Senate, on second reading,

S. B. No. 62, A bill to be entitled "An Act vesting the State of Texas for the benefit of the Texas State Railroad to the exclusion of all other governmental agencies of the State and the United States, title to all steel rail now upon the road-bed of the Texas State Railroad, and allotted to the State of Texas by the United States from the surplus war materials of the Federal Government at the end of the late war; and providing that sale or other disposition of such Texas State Railroad, under authority of law, shall pass title to such steel rail as against all other State agencies; and declaring an emergency."

The bill was read the second time and passed to engrossment.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 62 was placed upon its third reading and final passage, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Woodward.
Parnell.	

Absent—Excused.

Bailey.	Russek.
Lewis.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.

S. B. No. 62 was read third time and finally passed, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Woodward.
Parnell.	

Absent—Excused.

Bailey.	Russek.
Lewis.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, January 16, 1925.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 1. Adopting the joint rules of the House and Senate.

S. C. R. No. 2. Appointing a committee to count the ballots cast for Governor and Lieutenant Governor. The following committee is appointed on part of the House: Blount, Irwin, Pool, Hall and Hagman.

H. C. R. No. 1. Providing for a committee of five to count the ballots cast in the last general election for Governor and Lieutenant Governor.

The House of Representatives invites the Senate to the Memorial Exercises in honor of the anniversary of the birth of Robert E. Lee.

S. C. R. No. 7. Relating to Joint Session of Legislature to determine and announce the election results of the last general election.

H. C. R. No. 1.

The Chair laid before the Senate, H. C. R. No. 1, A concurrent resolution providing for a committee to count votes cast in the last general election for Governor and Lieutenant Governor.

The resolution was read, and Senator Davis moved that the resolution be laid on the table subject to call.

The motion was adopted.

Adjournment.

On motion of Senator Pollard the Senate, at 10:45 o'clock a. m., adjourned until 10 o'clock Monday morning.

SIXTH DAY.

Senate Chamber,

Austin, Texas,

Monday, January 19, 1925.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Lewis. Russek.

Absent—Excused.

Bailey. Murphy.

Prayer by the chaplain.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Davis.

Privilege Communications.

The Chair laid before the Senate the following two communications, which were read:

Austin, Texas, January 16, 1925.

Hon. T. W. Davidson, President of the Senate, Capitol.

My dear Mr. President:

Permit me to express to the Senate, through you, my very sincere appreciation for the endorsement given me by the Senate on January 14th.

To be deemed worthy of this honor by a body of such distinguished gentlemen is indeed a large compensation for a life of earnest effort to be

of real and genuine service to my native State.

If perchance the appointment, for which your endorsement was given, should come to me, never for one moment shall I forget that I stand as a representative of the great State of Texas, and endeavor to discharge whatever duties which shall fall to my lot with that fairness and justice to all the nation, which to my mind would best reflect honor and credit upon our State.

Sincerely yours,

CLARENCE E. GILMORE.

The White House,

Washington,

January 15, 1925.

My dear Mr. Secretary:

I shall be glad to lay before the President your telegram of January 14th in the interest of Honorable Clarence E. Gilmore. He will, you may be sure, give this endorsement earnest consideration in the event of a vacancy on the Commission in question.

Sincerely yours,

C. B. SLEMP,

Secretary to the President.

Honorable W. V. Howerton,

Secretary of the Senate,

Austin, Texas.

(President Pro Tem Wirtz in the Chair.)

Simple Resolution No. 13.

By Senator Strong:

Whereas, our retiring Lieutenant Governor, T. W. Davidson, has presided over our deliberations with such ability and fairness as to greatly endear him to our membership, and it is with profound regret that we shall miss his counsel from our midst. His tactfulness and readiness to dispatch business and smooth over the rough places; and his hearty good will and genial disposition arouses a sense of deepest appreciation and

Whereas, His good wife, Mrs. Asenath B. Davidson, has by her quiet and modest disposition and by her intellectual and womanly qualities won so high a place in our esteem that we deem it proper and appropriate to express to them jointly our highest and most sincere admiration

Therefore, Be it Resolved, That we spread upon the Senate Journal this Resolution of respect and endearment, and do now request the